

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,

Plaintiff,

v.

COMMONWEALTH OF PUERTO RICO and
the PUERTO RICO POLICE DEPARTMENT,

Defendants.

NO. 3:12-cv-2039 (FAB)

INFORMATIVE MOTION IN COMPLIANCE WITH ORDER (ECF NO. 2091)

TO THE HON. FRANCISCO A. BESOSA, SENIOR U.S. DISTRICT JUDGE:

NOW COMES, John Romero, in his capacity as Federal Police Monitor, who respectfully, through the General Counsel of the Federal Police Monitor's Office ("Monitor's Office"), states and prays as follows:

On June 15, 2022, the Monitor's Office submitted the sixth report covering the period from October 2021 through March 2022 ("CMR-6"), pursuant to paragraph 251 of the "Agreement for the Sustainable Reform of the Puerto Rico Police Department" dated July 17, 2013 (ECF No. 57-1) ("Agreement"). See ECF No. 2067. Prior to filing CMR-6, the Monitor's Office received and considered the comments from the parties under paragraph 252 of the Agreement. The Monitor's Office also received comments from the Special Master.

The parties then had, under paragraph 252, thirty days to file a response to CMR-6, if necessary. Once a response is filed by the parties, no further replies or comments are required pursuant to paragraph 252.¹

¹ Paragraph 252 states: "The TCA shall provide a copy of the six-month reports to the Parties in draft form within 15 days after the end of the reporting period. The Parties shall have fifteen calendar days upon receipt of the draft report to allow the Parties to informally comment on the draft reports. The TCA shall consider the Parties' responses and make appropriate changes, if any, and shall file the final report with the Court within 45 days of the end of the review period. DOJ and PRPD may file responses to the TCA's final report within 30 days."

In this vein, the defendants filed a response to CMR-6 on July 15, 2022. See ECF No. 2087. The Court then required the plaintiff, the Special Master, and the Monitor's Office to reply to the defendants' response to CMR-6 by July 29, 2022. See ECF No. 2091.²

The Monitor's Office has reviewed the defendants' response at ECF No. 2087 and appreciates their comments in response to CMR-6. The Monitor's Office notes, however, that it had discussed with the parties and made, as appropriate, revisions to CMR-6 pursuant to their feedback as allowed under paragraph 252 before filing CMR-6 on June 15, 2022 (ECF No. 2067). It should also be noted that on June 8, 2022, the Monitor's Office took the initiative to schedule and hold a meeting with the parties and the Special Master to collaborate and review the comments received from the parties to the draft CMR-6 report. Much clarification was achieved during this call. Further, the Monitor's Office will take into consideration the additional comments provided by the defendants at ECF No. 2087 as the Monitor's Office assesses compliance and begins preparing the CMR-7 draft report.

WHEREFORE, the Federal Police Monitor, John Romero, respectfully requests that the Court take notice of the above and of his compliance to the order at ECF No. 2091.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 27th day of July 2022.

I HEREBY CERTIFY that on this same date a copy of the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system, which in turn notifies all counsel of record in the case.

² On July 25, 2022, the Special Master informed, in compliance with the Court's order at ECF No. 2091, that he had already provided comments to the Monitor's Office prior to the Monitor's Office filing of CMR-6 on June 15th. See ECF No. 2101.

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